

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: _____)
RHONDA B JONES AND ANTHONY) BANKRUPTCY NO. 19-13386-jkf
CLINTON JONES,) CHAPTER 13
)
Debtors,)
U.S. BANK TRUST NATIONAL)
ASSOCIATION AS TRUSTEE OF THE)
CABANA SERIES III TRUST,)
) Docket No. _____
Movant,)
v.)
)
RHONDA B JONES AND ANTHONY)
CLINTON JONES and SCOTT F.)
WATERMAN,)
)
Respondents. _____

CONSENT ORDER/STIPULATION AGREEMENT

AND NOW, this 22nd day of June, 2020, upon the Motion of U.S. Bank Trust National Association as Trustee of the Cabana Series III Trust (“Movant”) to approve Consent Order/Stipulation Agreement with regard to a secured debt that Movant holds against real property located at 1231 Robbins Street, Philadelphia, PA 19111 (the “Real Property”) evidenced by claim no. 17-1, it is hereby agreed as follows:

Rhonda B Jones and Anthony Clinton Jones (hereafter “Debtors”) acknowledges and agrees that the following monthly post-petition mortgage payments are due as follows:

Payments 11/1/2019- 6/1/2019 (\$604.74 each)	\$ 4,837.92
<u>Less Funds on Hand</u>	\$ (-612.20)
TOTAL (“ARREARS”)	\$ 4,225.72

1. Debtors shall have 30 days from the date of this Order to file an Amended Chapter 13 Plan that provides for payment in full of the Arrears outlined herein. The Debtors shall also continue to make regular monthly payments of \$604.74, beginning with the July 2020 payment. In the event the regular monthly payment changes for any reason, then the amount due pursuant to this paragraph shall be adjusted accordingly. Thereafter, the Debtors agree to continue making the regular monthly mortgage payment.

2. Debtors shall send all payments due directly to Movant at the address below:

U.S. Bank Trust, National Association
As Trustee of the Cabana Series III Trust
c/o BSI Financial Services
1425 Greenway Drive, Suite 400
Irving, Texas 75038

3. In the event Debtors fail to make any of the payments set forth hereinabove (or real estate taxes and/or hazard insurance on the Real Property when due) on or before their due dates, Movant and/or Movant's counsel may give Debtors and Debtors' counsel notice of this default. If Debtors do not cure the default within ten (10) days of receipt of notice, Movant may file a Certification of Default with the Court, and request an Order, with a copy to Debtor and Debtor's counsel, granting Movant immediate relief from the bankruptcy stay with regard to the Real Property.

4. The failure by the Movant, at any time, to file a Certification of Default upon default by the Debtor shall not be construed, nor shall such failure act, as a waiver of any of Movant's rights hereunder.

5. Upon issuance of the aforesaid Order granting Movant immediate relief from stay, the parties hereto further agree that the Movant may proceed in state court to exercise all rights and remedies available to it as a mortgagee and creditor under state and federal law including, but not limited to, the initiation or and or continuation of foreclosure and execution proceedings against the Real Property through sheriff's sale and ejectment thereafter.

6. In the event Debtors convert to a bankruptcy under Chapter 7 of the Bankruptcy Code then Debtor shall pay all pre-petition arrears and post-petition arrears within ten (10) days from the date that the case is converted. If Debtor fails to make payments in accordance with this paragraph then Movant, through counsel, may file a certification setting forth said default and the Movant shall be granted immediate relief from the bankruptcy stay with regard to the Real Property.

BY THE COURT:



HONORABLE JEAN K. FITZSIMON
U.S. Bankruptcy Judge

Agreed to this 15th day of June, 2020

/s/ Michael C. Mazack
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